

**AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]**

**Notice of Intended Action**

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 163.1(1), the Department of Agriculture and Land Stewardship hereby gives Notice of Intended Action to amend Chapter 61, “Dead Animal Disposal,” Chapter 64, “Infectious and Contagious Diseases,” and Chapter 65, “Animal and Livestock Importation,” Iowa Administrative Code.

The proposed amendments update and modernize references to certain animal diseases by changing hog cholera to classical swine fever and changing paratuberculosis to Johne’s disease in accordance with 2012 Iowa Acts, Senate File 2311, divisions VI and VII, which become effective July 1, 2012.

Any interested persons may make written suggestions or comments on the proposed amendments on or before June 19, 2012. Written comments should be addressed to Margaret Thomson, Iowa Department of Agriculture and Land Stewardship, Wallace State Office Building, 502 East Ninth Street, Des Moines, Iowa 50319. Comments may be submitted by fax to (515)281-6236 or by E-mail to [Margaret.Thomson@IowaAgriculture.gov](mailto:Margaret.Thomson@IowaAgriculture.gov).

These proposed amendments are subject to the Department’s general waiver provisions.

After analysis and review of this rule making, no adverse impact on jobs has been found.

These amendments are intended to implement 2012 Iowa Acts, Senate File 2311, sections 33 to 45 (division VI), and sections 46 to 49 (division VII).

The following amendments are proposed.

ITEM 1. Amend rule 21—61.30(167), introductory paragraph, as follows:

**21—61.30(167) ~~Hog cholera~~ Classical swine fever—carcasses.** All carcasses of hogs dead of ~~cholera~~ classical swine fever must be burned within 24 hours intact, or they may be disposed of within 24 hours by the operator of a licensed rendering plant. In the event that the owner neglects or refuses to make such disposition of the carcass or carcasses of hogs dead of ~~cholera~~ classical swine fever, then the disposal of same shall be handled in accordance with rule 21—61.33(167).

ITEM 2. Amend subrule 64.1(1) as follows:

**64.1(1) *Multiple species diseases.***

- Anthrax
- Aujeszky’s disease
- Bluetongue
- Brucellosis (*Brucella abortus*)
- Brucellosis (*Brucella melitensis*)
- Brucellosis (*Brucella suis*)
- Crimean Congo haemorrhagic fever
- Echinococcosis/hydatidosis
- Epizootic haemorrhagic disease
- Equine encephalomyelitis (Eastern)
- Foot and mouth disease
- Heartwater
- Japanese encephalitis
- Johne’s disease
- Leptospirosis

- New world screwworm (*Cochliomyia hominivorax*)
- Old world screwworm (*Chrysomya bezziana*)
- ~~Paratuberculosis~~
- Q fever
- Rabies
- Rift Valley fever
- Rinderpest
- Surra (*Trypanosoma evansi*)
- Trichinellosis
- Tularemia
- Vesicular stomatitis
- West Nile fever

ITEM 3. Amend rule 21—64.5(163), introductory paragraph, as follows:

**21—64.5(163) Sale of vaccine.** No attenuated or live culture vaccine or virus shall be sold or offered for sale at retail except to a licensed veterinarian of this state, nor shall it be administered to any livestock or poultry except by a licensed veterinarian of the state of Iowa. This does not apply to the sale of and administration of virulent ~~hog cholera~~ classical swine fever virus when sold to and administered by valid permit holders for its use on hogs owned by themselves on their own premises.

ITEM 4. Amend rule 21—64.17(163), introductory paragraph, as follows:

**21—64.17(163) Notification of chief of animal industry.** It shall be the duty of any city or local board of health or township trustees, whenever notice is given of animals being affected with rabies, glanders, scabies, ~~hog cholera~~ classical swine fever or any contagious or infectious disease or having been exposed to the same, to promptly notify the ~~chief of division of animal industry~~ state veterinarian.

ITEM 5. Amend rule **21—64.170(165A)**, definitions of “Individual herd plan” and “Paratuberculosis-affected animal,” as follows:

“*Individual herd plan*” means a written herd management plan that is designed by the herd owner, the owner’s veterinarian, if requested, and a designated epidemiologist to identify and control ~~paratuberculosis~~ Johne’s disease in an affected herd. The individual herd plan may include optional testing.

“*Paratuberculosis-affected Johne’s disease-affected animal*” means an animal which has reacted positively to an organism-based detection test conducted by an approved laboratory.

ITEM 6. Amend rules 21—64.171(165A) to 21—64.174(165A) as follows:

**21—64.171(165A) Supervision of the ~~paratuberculosis~~ Johne’s disease program.** The state veterinarian’s office will provide supervision for the ~~paratuberculosis~~ Johne’s disease program.

**21—64.172(165A) Official ~~paratuberculosis~~ Johne’s disease tests.** Organism-based detection tests will be considered as official ~~paratuberculosis~~ Johne’s disease tests. These tests include, but are not limited to, Polymerase Chain Reaction (PCR) tests and bacteriological culture.

**21—64.173(165A) Vaccination allowed.** Vaccination against ~~paratuberculosis~~ Johne’s disease is allowed with the permission of the state veterinarian. The herd owner requesting vaccination of the herd must sign and follow a ~~paratuberculosis~~ Johne’s disease herd control plan consisting of best management practices designed to prevent the introduction of and control the spread of ~~paratuberculosis~~ Johne’s disease. A risk assessment may be included as part of the herd control plan. The herd owner shall submit animal vaccination reports to the department on forms provided by the department.

**21—64.174(165A) Herd plan.** The herd owner, the owner’s veterinarian, if requested, and the designated epidemiologist may develop a plan for preventing the introduction of and controlling the spread of paratuberculosis Johne’s disease in each affected herd.

ITEM 7. Amend rules 21—64.177(165A) and 21—64.178(165A) as follows:

**21—64.177(165A) Intrastate movement requirements.**

**64.177(1)** Animals that are positive to an official paratuberculosis Johne’s disease test may be moved from the farm of origin for slaughter only if the animals are moved directly to a recognized slaughtering establishment and accompanied by an owner-shipper statement that identifies the animals as positive to an official paratuberculosis Johne’s disease test and the statement is delivered to the consignee. Positive animals shall be identified prior to movement by application of a C-punch in the right ear of the animal.

**64.177(2)** Animals that are positive to an official paratuberculosis Johne’s disease test may be moved within Iowa for slaughter and consigned to a state-federal approved slaughter market if the animals are accompanied by an owner-shipper statement that identifies the animals as positive to an official paratuberculosis Johne’s disease test and the statement is delivered to the consignee. Positive animals shall be identified prior to movement by application of a C-punch in the right ear of the animal.

**64.177(3)** Animals that are positive to an official paratuberculosis Johne’s disease test may be moved within Iowa for purposes other than slaughter only by permit from the state veterinarian.

**21—64.178(165A) Import requirements.**

**64.178(1)** Animals that are positive to an official paratuberculosis Johne’s disease test may be imported into Iowa for slaughter if the animals are moved directly to a recognized slaughtering establishment and accompanied by an owner-shipper statement that identifies the animals as positive to an official paratuberculosis Johne’s disease test and the statement is delivered to the consignee. All animals must be officially identified.

**64.178(2)** Animals that are positive to an official paratuberculosis Johne’s disease test may be imported into Iowa for slaughter and consigned to a state-federal approved slaughter market if the animals are accompanied by an owner-shipper statement that identifies the animals as positive to an official paratuberculosis Johne’s disease test and the statement is delivered to the consignee. Positive animals shall be identified at the market, prior to sale, by application of a C-punch in the right ear of the animal.

**64.178(3)** Animals that are positive to an official paratuberculosis Johne’s disease test may be imported into Iowa for purposes other than slaughter only by permit from the state veterinarian.

ITEM 8. Amend paragraph **65.4(2)“b”** as follows:

*b.* Cattle or bison known to be infected with paratuberculosis (Johne’s disease) shall not be imported except to a recognized slaughter establishment and shall be accompanied by an owner-shipper statement that identifies the animals as positive to an official Johne’s disease test. Such statement shall be delivered to the consignee, unless prior approval is obtained from the state veterinarian.